

**MINUTES OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT**

SPECIAL MEETING

June 7, 1984

Councilors Present: Councilors Banzer, Bonner, Deines, Hansen, Kafoury, Kelley, Kirkpatrick, Oleson, Van Bergen, and Williamson.

Councilors Absent: Councilor Waker.

Also Present: Rick Gustafson, Executive Officer.

Staff Present: Ray Barker, Steven Siegel, Sonnie Russill, Andy Cotugno, Dan LaGrande, Katie Dowdall, and Jennifer Sims.

A special meeting of the Council of the Metropolitan Service District was called to order at 5:35 p.m. by Presiding Officer Kirkpatrick for the purpose of discussing 1) a report on the Council/Executive Officer Workshops, 2) the General Fund Definition, and 3) the Intergovernmental Resource Center Update/Proposal.

1. Report on Workshops.

Mr. Gustafson stated that he was pleased with the work of the workshop facilitators, Lenny Borer and Isaac Regenstreif, and that the results would be useful. He said two proposed resolutions were before the Council as a result of the workshops; one adopting a Mission for Metro and one adopting Priorities and Objectives.

Presiding Officer Kirkpatrick stated that she would like the Council to review the two resolutions regarding the Mission and Priorities and make any changes before it was formally presented to the Council on June 28.

Review of Resolution No. 84-476 (Mission and Purposes)

Councilor Bonner asked if the number two Purpose "Encourage public discussion regarding the provision of regional services" pertained to authorized services or to additional regional services which might be provided by Metro. Mr. Gustafson responded that he had understood the workshop discussion to mean that Metro would provide the authorized services but would also encourage public discussion for the provision of any regional service.

Council Minutes
Special Meeting
June 7, 1984
Page 2

Councilor Bonner suggested that the words "which are not now authorized" be added to the end of Purpose number two. He said it was also his understanding from the workshops that the proposed Purpose was a way for Metro to get involved in services not currently authorized.

Councilor Hansen suggested that in lieu of Councilor Bonner's language that the word "all" be inserted before the words "regional services", and that the number two Purpose would read: "Encourage public discussion regarding the provision of all regional services. He said that would allow the Council to discuss authorized as well as not currently authorized regional services. He said they could encourage the forums for the discussions without necessarily becoming the agency which would provide the services.

Councilor Bonner argued that if they were going to amend the Purpose that it should be clear that the Council was speaking to services not currently authorized.

Motion: Councilor Bonner moved that the number two Purpose be amended to read as follows: "Encourage public discussion regarding the provision of regional services Metro is not now authorized to provide." Councilor Van Bergen seconded the motion.

Vote: The vote on the motion resulted in:

Ayes: Councilors Bonner, Kirkpatrick, Oleson, and Van Bergen.

Nays: Councilors Banzer, Hansen, Kafoury, and Williamson.

Absent: Councilors Deines, Kelley, and Waker.

Motion failed due to tie vote.

Motion: Councilor Hansen moved to amend Purpose number two to read as follows: "Encourage public discussion regarding the provision of all regional services". Councilor Van Bergen seconded the motion.

Vote: The vote on the motion resulted in:

Ayes: Councilors Banzer, Bonner, Hansen, Kafoury, Kirkpatrick, Oleson, Van Bergen, and Williamson.

Nays: None.

Absent: Councilors Deines, Kelley, and Waker.

Motion carried.

Review of Resolution No. 84-477 (Priorities and Objectives)

Mr. Gustafson stated that five priorities were developed through the workshops. He said he was recommending that a sixth priority be added: "Administer Effectively the Existing Services of Metro". He said while the other priorities related to the specific needs over the next two years, maintaining a strong administration, good financial reports, and existing commitments in Solid Waste and Zoo were also important. He also noted that some of the objectives had been reworded and those changes were reflected in the resolution before the Council.

Councilor Kafoury requested that Objectives for the Priority proposed by Mr. Gustafson be developed prior to Council adoption of the resolution. Presiding Officer Kirkpatrick requested that Councilor Bonner work with Mr. Gustafson to develop the objectives.

Councilor Van Bergen stated that he was concerned about Priority "D" especially the objectives. He said he was concerned about creating a CRAG II which might take away some of Metro's authority. Mr. Gustafson responded that the objectives did not force a commitment to the IRC proposal, which Councilor Van Bergen was referring to. He said the Objectives of Priority D merely committed to strengthening the relationship with local and regional jurisdictions.

Councilor Bonner stated that he agreed with the Objectives of Priority "E". He said he was concerned though that the objectives might not get the attention they should.

Councilor Deines stated that unless there was state legislation which established a relationship between Metro and local governments, that they would not be able to accomplish the objectives. Councilor Van Bergen agreed.

Councilor Bonner commented that prior to the preparation of the 1985-86 budget a review of the priorities and objectives should occur. Mr. Gustafson stated that once the Priorities and Objectives were adopted, progress would be reported to the Council through the Quarterly Report process.

2. General Fund Definition.

Mr. Gustafson presented his memorandum entitled, "Redefinition of Existing General Fund and Proposed Five Operating Fund System", contained in the agenda of the meeting.

He said presently Metro had had four funds: General Fund, Solid Waste, Zoo, and Intergovernmental Resource Fund. He said it was proposed to create a General Fund which would provide those services that are the direct responsibility of Metro and mandated by State Law and which should appropriately be funded by General Fund monies. He said the General Fund would then be treated as all other funds, and any support service costs attributed to the General Fund would be paid to a newly created Support Services Fund. He said presently the General Fund is created by a series of charge backs to each of the separate funds. He said the proposal for the General Fund would be that it have its own source of revenue in order to fund services.

He then reviewed a schedule of work which needed to be accomplished on the issue (a copy of the schedule is attached to the agenda of the meeting).

He said they needed to reach an agreement on the amount and sources of funding for the General Fund.

He indicated that another issue which needed to be discussed was whether additional funds should be included in the cost of general government to support Metro Priority "D", "Strengthen the relationship with local and regional jurisdictions for solving mutual problems", and Priority "E", "Identify regional service needs and analyze options for their provision in cooperation with contractual groups."

Councilor Deines commented that they should have a pretty definite idea of what they wanted to do before they asked for funds.

Councilor Bonner stated that he was supportive of requesting additional funds for the General Fund in order to study regional services.

Mr. Gustafson stated that at the next Council meeting a presentation of the financial impacts of creating a General Fund would be made.

Councilor Kafoury stated some "what if" discussions needed to occur also. She said if the mandatory dues for IRC did not

occur or if the taxing authority for a General Fund did not occur, they needed to have some fall-back positions. Mr. Gustafson stated that his preference would be that the Council get an understanding of what their long term interests were and then as they started putting together the details, a transition strategy would need to be developed.

C. Intergovernmental Resource Center Update/Proposal.

Steven Siegel, IRC Administrator, stated that the objectives of the IRC proposal were to reach an understanding with member jurisdictions on a meaningful long-term relationship and on a funding mechanism for the IRC (a copy of the proposal is contained in the agenda of the meeting). He said a committee comprised of representatives of the dues paying jurisdictions was proposed to be established whose functions would be to: 1) recommend or approve a base work program and budget for the IRC; 2) to recommend or establish committees or task forces which would serve as the regional consensus building forums for all of the issues or subject areas in the work program that required that type of involvement; and 3) to monitor and amend the budget and work program as necessary throughout the year. He said funding for the IRC was proposed to be through the continuation of the mandatory dues.

He said there were two options for how the work program and dues would be set. The first would be the JPACT-like model of having member jurisdictions select their own representatives for the steering group and that the group would recommend a work program and dues level to the Metro Council. The other option, he said, would be the Boundary Commission model, where the steering committee would approve the work program and budget.

He said mandatory dues would require a statutory change to eliminate the sunset clause in the current legislation and that Tri-Met and the Port of Portland should be included as mandatory dues paying agencies.

He said if the Council approved the concept, he and the Executive Officer would meet with the local government group they had been meeting with to date to finalize a memorandum which would be used in the discussions between the Metro Council and the local elected officials. After that, he said, an agreed to proposal would be presented to Glenn Otto's Special Task Force and proposed legislation presented to the 1985 Legislature.

Councilor Oleson stated that he had always had reservations about how much the Council had given up to the JPACT process and would not support anything that went any further in terms of watering down the influence of the Metro Council.

Mr. Gustafson responded that there were two options to the one that was being outlined: 1) no legislation at all and a request that contributions be on a voluntary basis, and 2) request continuing mandatory dues with a sunset clause. He said it was up to Metro to structure something that would pass the legislature and that the proposed outline was an attempt to address the need to maintain and fund the local government coordination function at Metro.

Councilor Williamson stated that he did not want to see the committee institutionalized into state law. He said he would prefer that the Metro Council approve the membership and appoint the members, as was done with JPACT.

Presiding Officer Kirkpatrick stated that the essence of the proposal was that Metro should not go to the legislature and propose an extension of the dues without having the consensus of the local jurisdictions.

Councilor Bonner asked if it was possible to go to the legislature and ask for some source of funds for the general fund which would support the IRC functions and discontinue the dues all together.

Mr. Gustafson responded that that would be possible but it raised the issue of whether it was appropriate to use the general funds of Metro for the purpose of fulfilling the coordination function. He said there was a good argument for having the various jurisdictions contribute financially to the state mandated service Metro is suppose to provide in the area of local government coordination.

(At this time, Presiding Officer Kirkpatrick recessed the Special Meeting until after the disposition of the Regular Council meeting business. At 8:10 p.m. the Special Meeting was reconvened and discussion of the IRC continued.)

Mr. Gustafson pointed out that it was not necessary for the Council to commit to any portion of the proposal that evening. He said the object of the session was to get the Council to understand the key issues. He said he hoped the Presiding Officer would select some Councilors to work with her to meet with local elected officials.

Presiding Officer Kirkpatrick asked if in the discussions carried on at the staff level had it been proposed to include the coordination as a part of the general fund function and funding. Mr. Siegel responded that they had not made such a proposal.

Councilor Deines stated that support for the IRC should come from the local governments. He said he would find it difficult to go to the legislature and request funding for both Metro's general government and for those programs which benefited the local jurisdictions.

Councilor Hansen stated that he seriously doubted he would be able to support the IRC proposal. He said his concerns had not been addressed or solicited and that a great deal more work needed to be done.

Mr. Gustafson responded that it was important to understand the issue before a position was taken on it. He said the proposal provided a leadership role for Metro in getting legislation through to maintain the coordination function at Metro. He said the Council could choose to discontinue the coordination function if they so desired.

Councilor Waker stated that he had hoped the organization would eventually provide some sort of forum for the consolidation of some of the services currently provided. He said consideration should be given to getting some of the service district representatives on the steering committee.

Mr. Siegel responded that at some point there might be the possibility of the steering committee establishing a task force which could be charged with an issue such as the consolidation of a particular service, and that the task force membership could be made up of service district representatives.

Mr. Gustafson pointed out that the forum could be a place where consolidation of districts could be discussed but that it would in no way preclude the option for the Metro Council to form its own task force to investigate the consolidation of services.

Councilor Van Bergen commented that he preferred the statute as currently written, with a sunset clause.

Councilor Waker said he didn't like what currently existed because, although it might get Metro funding, it didn't provide Metro the necessary consensus building with local governments which would in turn provide the potential to make beneficial changes for the public. He said he supported the concept being presented.

Mr. Gustafson stated that throughout the region, the most successful program was JPACT. He said it was a very effective consensus building tool and that they were proposing the JPACT model because of its success. He said the proposal simply sought the advice of local jurisdictions as to how much Metro was going to charge them for the services Metro provided.

Councilor Van Bergen countered that there had not been once instance that he could recall that the Council entered into any real discussion of any of the plans that came from JPACT and said no. He said they abided by the advice of JPACT to the point of servancy.

Mr. Gustafson responded that JPACT was the designated Metropolitan Planning Organization required by the federal government and that JPACT had not dictated any authority which was statutorily Metro's.

Councilor Van Bergen stated that he was not after JPACT, but was concerned that the concept being proposed was modelled after JPACT. He said he did not want to see the concept applied to other functions Metro might want to get into.

Mr. Gustafson stated that the proposal did not propose that Metro give up any of its authority or responsibility, that the proposal was to set up a mechanism to continue the coordination effort.

Councilor Bonner expressed concern that the steering committee would be able to set the agenda for what was studied. He suggested that funds be sought from the state legislature to make sure that Metro could study issues that the steering group would never agree to study. He said if the JPACT model was used, and he believed a good majority of the Council was comfortable with JPACT, that it would be something they could try and fine tune if needed.

Mr. Gustafson asked if the Council desired further information at the June 28 meeting. Councilor Waker suggested that the staff meet with Councilor Hansen and other Councilors to discuss the philosophy behind the proposal. Councilor Kelley suggested that a charge for the steering committee be written more precisely so it could be understood exactly what was expected of it. Councilor Bonner suggested that Presiding Officer Kirkpatrick put together a group of Councilors to carry the battle to the Council with Councilors.

Council Minutes
Special Meeting
June 7, 1984
Page 9

Councilor Van Bergen stated that the proposal needed to be more specific. Mr. Gustafson responded that specific actions required of the Council were to develop a legislative proposal and language regarding the funding for the IRC, and that an ordinance needed to be adopted by the Council creating the steering committee. He said it was difficult to be more specific about the coordination effort because it depended upon how effective the steering committee was.

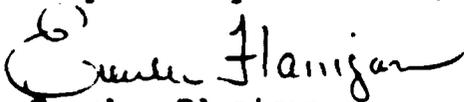
Councilor Bonner stated that it was difficult to buy into something that wasn't more specific. Mr. Gustafson said that in developing specifics the Council needed to be sensitive to what might strike a sensitive cord with legislators or local government officials and that it didn't sink before it even got off the ground.

Councilor Van Bergen said he understood that any enabling legislation needed to be general in scope, but that he was concerned that before a plan was endorsed that he have a pretty good idea of what was going to be done with it once it was passed.

Presiding Officer Kirkpatrick stated that she would put some Council members to work with the Executive Officer and Mr. Siegel in terms of working with other Councilors and other elected officials before the next meeting on the issue.

There being no further business, the meeting adjourned at 9:15 p.m.

Respectfully submitted,


Everlee Planigan
Clerk of the Council

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